

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHAEL CACOPERDO,

Civ. Act. No.: 10-civ-7847 (RPP)

Plaintiff,

-against-

NOTICE OF MOTION

HARTFORD LIFE INSURANCE COMPANY,

Defendant.

DOCUMENT
ELECTRONICALLY FILED

-----X

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, simultaneously submitted herewith, and upon all pleadings and proceedings previously had herein, defendant, Hartford Life Insurance Company (“Hartford”), by its attorneys, Sedgwick LLP, will move this Court, on a date and at a time set by the Court, before the Hon. Robert P. Patterson, U.S.D.J., at the United States District Courthouse for the Southern District Of New York, 500 Pearl Street, New York, New York 10007 for an Order pursuant to Rule 56(e), FED. R. CIV. PROC., striking Plaintiff Michael Cacoperdo’s (“Cacoperdo”) improper submission of Proposed Findings of Fact, dated July 12, 2012 (Doc. No. 86) and the Declaration of Jason Newfield, dated July 12, 2012 (Doc. No. 85) along with its attached Exhibit “A,” and for such other and further relief this Court deems just and proper.

Dated: New York, New York
July 31, 2012

Respectfully Submitted,

s/

MICHAEL H. BERNSTEIN (MB 0579)

JOHN T. SEYBERT (JS 5014)

DANIEL M. MEIER (DM 2833)

SEDGWICK LLP

125 Broad Street, 39th Floor

New York, New York 10004-2400

Telephone: (212) 422-0202

Facsimile: (212) 422-0925

Attorneys for Defendant

Hartford Life Insurance Company

To: Jason A. Newfield, Esq. (SR 5005)
FRANKEL & NEWFIELD, P.C.
585 Stewart Avenue – Suite 312
Garden City, New York 11530
Telephone: (516) 222-1600
Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, DANIEL M. MEIER, hereby certify and affirm that a true and correct copy of the attached **NOTICE OF MOTION** was served **via ECF** and **via regular mail** on July 31, 2012, upon the following:

Jason A. Newfield, Esq.
FRANKEL & NEWFIELD, P.C.
585 Stewart Avenue – Suite 312
Garden City, New York 11530
Telephone: (516) 222-1600

Dated: New York, New York
July 31, 2012

s/

DANIEL M. MEIER (DM 2833)